

tate the exercise of the functions of the Institute. The Director shall be compensated at the rate in effect for level IV of the Executive Schedule under section 5315 of title 5. Until such time as the Director assumes office under this section, the most recent Director of the National Bureau of Standards shall serve as Director.

(Mar. 3, 1901, ch. 872, § 5, 31 Stat. 1449; Pub. L. 99-73, § 6(a), July 29, 1985, 99 Stat. 172; Pub. L. 100-418, title V, § 5112(c)(1), Aug. 23, 1988, 102 Stat. 1431; Pub. L. 110-69, title III, § 3002(c)(2)(B), Aug. 9, 2007, 121 Stat. 586.)

AMENDMENTS

2007—Pub. L. 110-69 substituted “The Director shall report directly to the Secretary and shall have the general” for “The Director shall have the general”.

1988—Pub. L. 100-418 amended section generally, substituting provisions relating to appointment, powers and duties, and compensation of, and reports by, Director of the Institute for similar provisions relating to Director of the Bureau of Standards, striking out requirement that the annual report include an abstract of the work done during the year and a financial statement, and inserting provision that until such time as the Director assumes office under this section, the most recent Director of the National Bureau of Standards shall serve as Director.

1985—Pub. L. 99-73 substituted “The Director” for “He” at beginning of second, third, and fourth sentences, and inserted provisions relating to compensation for the Director.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-73 effective Oct. 1, 1985, see section 6(c) of Pub. L. 99-73, set out as a note under section 5315 of Title 5, Government Organization and Employees.

§ 275. Appointment of officers and employees

The officers and employees of the Institute, except the director, shall be appointed by the Secretary of Commerce at such time as their respective services may become necessary.

(Mar. 3, 1901, ch. 872, § 6, 31 Stat. 1450; Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; Pub. L. 100-418, title V, § 5115(a)(1), Aug. 23, 1988, 102 Stat. 1433.)

AMENDMENTS

1988—Pub. L. 100-418 substituted “Institute” for “bureau”.

CHANGE OF NAME

Act Mar. 4, 1913, substituted “Secretary of Commerce” for “Secretary of Commerce and Labor”.

TRANSFER OF FUNCTIONS

Act Feb. 14, 1903, transferred power and authority of Secretary of the Treasury over Bureau of Standards to Secretary of Commerce and Labor.

PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES

Pub. L. 110-69, title III, § 3009, Aug. 9, 2007, 121 Stat. 592, provided that:

“(a) IN GENERAL.—The Director of the National Institute of Standards and Technology may procure the temporary or intermittent services of experts or consultants (or organizations thereof) in accordance with section 3109(b) of title 5, United States Code, to assist with urgent or short-term research projects.

“(b) EXTENT OF AUTHORITY.—A procurement under this section may not exceed 1 year in duration, and the

Director shall procure no more than 200 experts and consultants per year.

“(c) SUNSET.—This section shall cease to be effective after September 30, 2010.

“(d) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act [Aug. 9, 2007], the Comptroller General shall submit to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on whether additional safeguards would be needed with respect to the use of authorities granted under this section if such authorities were to be made permanent.”

DEMONSTRATION PROJECT RELATING TO PERSONNEL MANAGEMENT

Pub. L. 99-574, § 10, Oct. 28, 1986, 100 Stat. 3238, as amended by Pub. L. 100-418, title V, § 5115(c), Aug. 23, 1988, 102 Stat. 1433, directed the Office of Personnel Management and the National Institute of Standards and Technology to jointly design an alternative personnel management system demonstration project to be commenced not later than Jan. 1, 1988, and to be conducted by the Director of the Institute in accordance with section 4703 of Title 5, Government Organization and Employees, with the Director of the Office of Personnel Management to provide that the project be evaluated annually by a contractor, and a report of the contractor's findings submitted to the Office, and, along with any comments of the Office and the Institute, submitted to the Congress, and a final report to be submitted to the Congress by the Comptroller General not later than 4 years after the date on which the project commences, such report to include any recommendations for legislation or other action considered appropriate by the Comptroller General.

[Pub. L. 104-113, § 10, Mar. 7, 1996, 110 Stat. 779, provided that: “The personnel management demonstration project established under section 10 of the National Bureau of Standards Authorization Act for Fiscal Year 1987 [Pub. L. 99-574] (15 U.S.C. 275 note) is extended indefinitely.”]

§ 275a. Service charges

The Secretary shall charge for services performed under the authority of section 273 of this title, except in cases where he determines that the interest of the Government would be best served by waiving the charge. Such charges may be based upon fixed prices or costs. The appropriation or fund bearing the cost of the services may be reimbursed, or the Secretary may require advance payment subject to such adjustment on completion of the work as may be agreed upon.

(Mar. 3, 1901, ch. 872, § 7, as added Aug. 3, 1956, ch. 906, § 1, 70 Stat. 959.)

CODIFICATION

Provisions relating to fees were formerly contained in section 276 of this title.

§ 275b. Charges for activities performed for other agencies

The Secretary of Commerce shall charge for any service performed by the Institute, at the request of another Government agency, in compliance with any statute, enacted before, on, or after October 6, 1982, which names the Secretary or the Institute as a consultant to another Government agency, or calls upon the Secretary or the Institute to support or perform any activity for or on behalf of another Government agency, or to cooperate with any Government agency in the performance by that agency of any activity,